

Clarification for Policy & Procedure 8200

MARC Head Start

Criminal Background Checks (supplemental information)

42 USC 9858f-Criminal Background Checks
(Disqualification Factors)

(c) PROHIBITIONS

(1) CHILD CARE STAFF MEMBERS

A child care staff member shall be ineligible for employment by a child care provider that is receiving assistance under this subchapter if such individual—

(D) Has been convicted of a felony consisting of—

- (i) murder, as described in section 1111 of title 18;
- (ii) child abuse or neglect;
- (iii) a crime against children, including child pornography;
- (iv) spousal abuse;
- (v) a crime involving rape or sexual assault;
- (vi) kidnapping;
- (vii) arson;
- (viii) physical assault or battery; or
- (ix) subject to subsection (e)(4), a drug-related offense committed during the preceding 5 years; or

(E) has been convicted of a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, sexual assault, or of a misdemeanor involving child pornography.